



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,627	03/23/2001	Peggy M. Stumer	2001P05288US	7108
7590	02/06/2004			EXAMINER RAMAKRISHNAIAH, MELUR
Siemens Corporation Attn: Elsa Keller, Legal Administrator Intellectual Property Department 186 Wood Avenue South Iselin, NJ 08830			ART UNIT 2643	PAPER NUMBER 18

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/816,627	STUMER ET AL.	
	Examiner Melur Ramakrishnaiah	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 November 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3 and 8-10 is/are rejected.
- 7) Claim(s) 4-7 and 11-14 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>18</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1 and 8 are rejected under 35 U.S.C 102(a) as being anticipated by Needham et al. (GB 2349774 A, pub date: 11-8-2000, hereinafter Needham).

Regarding claim 1, Needham discloses a method for processing emergency call made from behind a PBX/MLTS coupled to an analog or ISDN private network, the method comprising the steps of: within the PBX/MLTS determining whether dialed digits represent an emergency number, and assigning priority within PBX/MLTS to a call determined to be an emergency call, such that call takes priority over other calls in traversing the private network (reads on PBX and associated ISDN trunks) before reaching the public network trunk (24, fig. 1, page 3 lines 17-33, page 4 lines 1-6, lines 27-32).

Regarding claim 8, Needham discloses an apparatus for processing an emergency call from behind a PBX/MLTS coupled to an analog or ISDN private network, the apparatus comprising : means within the PBX/MLTS for determining whether dialed digits represent an emergency number, and means for assigning priority within PBX/MLTS to a call determined to be an emergency call, such that call takes priority over other calls in traversing the private network (reads on PBX and associated

Art Unit: 2643

ISDN trunks) before reaching the public network trunk (24, fig. 1, page 3 lines 17-33, page 4 lines 1-6, lines 27-32).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2-3 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Needham in view of Tanaka et al. (US PAT: 6,243,442, hereinafter Tanaka) and Hoskinson et al. (US PAT: 5,339,351, hereinafter Hoskinson).

Regarding claims 2-3, and 9-10, Needham does not teach the following: storing a port number for each device/trunk in the PBX/MLTS, and determining from which port the emergency call originated and associating an emergency location identification number (ELIN) with each port equipment number, and transmitting to a public safety answering point the ELIN associated with the port from which emergency call originated.

However, Tanaka teaches the following: storing a port number for each device/trunk in the PBX/MLTS, and determining from which port the emergency call originated (col. 9 lines 63-67, col. 10 lines 1-30); and Hoskinson discloses a emergency response system which teaches the following: associating an

Art Unit: 2643

emergency location identification number (ELIN) with each port equipment number, and transmitting to a public safety answering point the ELIN associated with the port from which emergency call originated (col. 7 lines 18-20, fig. 3, col. 7 lines 56-68, col. 8 lines 1-4).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Needham's system to provide for the following: storing a port number for each device/trunk in the PBX/MLTS, and determining from which port the emergency call originated and associating an emergency location identification number (ELIN) with each port equipment number, and transmitting to a public safety answering point the ELIN associated with the port from which emergency call originated as this arrangement would enable the operator at the emergency response center to dispatch necessary help to the emergency caller as is well known in the art.

5. Claims 4-7 and 11-14, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed on 11-17-2003 have been fully considered but they are not persuasive.

Rejection of independent claims 1 and 8 under 35 U.S.C 102(a) as being anticipated by Needham et al. (GB 2349774 A, pub date: 11-8-2000, hereinafter Needham): Regarding rejection of claims 1, 8, Applicant argues that the system

in Needham is simply different from the present invention and Needham is limited in scope to ISDN networks and it does not address a network involving analog trunks. Regarding this , applicant's preamble to amended claims 1 and 8, calls for PBX/MLTS coupled to an analog or ISDN private network. This teaching is provided by Needham in that Needham teaches PBX/MLTS coupled to ISDN private network as shown in fig. 1. Applicant further argues that Needham does not address having one or more private networks for far end hop off to public network. Again this teaching is provided by Needham in that Needham teaches so many ISDN trunks emanating from 26 C to PSTN (24) as shown in fig. 1. Applicant further argues that " Needham system is limited in scope. The PBX in Needham ... in which private route may include ISDN or analog networks". Again this is taught by Needham in that Needham teaches private route which includes ISDN trunks as shown in fig1 thus satisfying the Applicant's claim limitation. Applicant further argues that "While Applicants thus respectfully disagree with Examiner's assertion that claims 1 and 8 are anticipated ... Applicant's amended claims 1 and 8 in the interest of clarity to indicate explicitly that the present invention is applicable to both analog and ISDN networks". As already explained above, Applicant's preamble to amended claims 1 and 8, calls for PBX/MLTS coupled to an analog or ISDN private network. This teaching is provided by Needham in that Needham teaches PBX/MLTS coupled to ISDN private network as shown in fig. 1.

Regarding rejection dependent claims 2-3, 9-10, Applicant's arguments are tied to independent claims 1 and 8 being patentable which are not as explained above.

In light of the above explanation, rejection of claims 1-3, 8-10 is maintained as set forth in the office action above.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643